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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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DUKE W YEE
CARSTENS YEE & CAHOON LLP
P O BOX 802334
DALLAS, TX 75380

EXAMINER
SHAH, NILESH R

ART UNIT	PAPER NUMBER
2131	3

DATE MAILED: 03/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/353,974	Applicant(s) BERSTIS ET AL.	
	Examiner Nilesh R Shah	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 October 1999* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *15 July 1999* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

Specification

1. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code (page 3 line 32). Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

2. Figures 1-3 and 6 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. Figure 1 is considered prior art because nothing new is described in the figure. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance. In addition the 'Brief Description of Drawings' should also not that figure one is prior art.

3. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. On page 2 line 32 there is a hyperlink. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

4. In the specification on page 27-28 encrypted location is explained. It is unclear how 'a central memory location is supported by an encryption location'? Also it is unclear how ' any data sent to the prescribed location is automatically encrypted by the encryption location.' The disclosure is objection to because it doesn't clearly explain a central memory location is supported by an encryption location.

5. The use of the trademark Formula One Search engine has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology. No generic terminology is listed. Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner, which might adversely affect their validity as trademarks. The disclosure is objected to because of improper use of a trademark.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claim 21 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 21 recites a computer program product. A review of the specification reveals that the product is software per se. Therefore the claim is directed to non-statutory subject matter. The examiner suggests that program should be place on a computer or a computer readable medium.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 7 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear how one can have encrypted memory locations as stated in claims 7 and 17. The data in the memory location could be encrypted or a password could be required to enter a memory location but how a memory location could be encrypted. Encryption refers to data and location is not considered to be data. For the purpose of examining the examiner assumes that claims 7 and 17 is referring to encrypted data stored at a memory location.

8. Claims 8 and 18 recite the limitation "paged" in claim 8. There is insufficient antecedent basis for this limitation in the claim. This is the first time "page" is described in the claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 1, 2, 4, 5, 10 - 12, 14, 15, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Banga et al (5,931,904) 'Method for reducing the delay between the time a data page is requested and the time the data page is displayed' in view of Cuccia et al (6,151,676) ' Administration and utilization of secret fresh random numbers in a networked environment.'

As per claims 1, 2, 5, 11, 12, 15, 21 Banga teaches the use of a remotely located cache storage site 151. A session is initiated and the user 11 requests a page. The web site is received by user 11 and then cached by the remote proxy 151 (col 3 lines 29-65). Banga also teaches that the cache data can be stored at a remote site (element 151 and col 3 lines 29-45). Banga does not teach the use of encrypting the web page.

Cuccia teaches the use of a browser supported encryption algorithm. Cuccia teaches that the El-Gamal is an encryption algorithm, which is supported by a browser (col 6 lines 13-29). Cuccia teaches that the El-Gamal algorithm encrypts the data (web page) to ensure the integrity of the data (col 5 lines 4-61, col 8 lines 13-37). This technology, which uses pubic key encryption, is incorporated into the web browser. Also it discloses on selecting the browser which is supported by El-Gamal (col 6 lines 13-29). Therefore the Banga/Cuccia combination would disclose encrypting the web page and coding the web page using a browser supported encryption algorithm. It would be obvious to one skilled in the art to add the art to add the use of the El-Gamal algorithm to Banga to ensure documents (web page) are secure (col 1 lines 14-62). Thus claims 1, 2, 5, 11, 12,15, 21 are rejected.

As per claims 4 and 14 Banga teaches a session is initiated and the user 11 requests a page. The web site is received by user 11 and then cached by the remote proxy 151 (col 3 lines 29-65). Banga does not teach the use of encrypting the web page using an algorithm supported by a browser.

Cuccia teaches the use of a browser supported encryption algorithm. Cuccia teaches that the El-Gamal is an encryption algorithm, which is supported by a browser (col 6 lines 13-29). Cuccia teaches that the El-Gamal algorithm encrypts the data (web page) to ensure the integrity

of the data (col 5 lines 4-61, col 8 lines 13-37). This technology, which uses pubic key encryption, is incorporated into the web browser. Also it discloses selecting the browser which is supported by El-Gamal (col 6 lines 13-29). Therefore the Banga/Cuccia combination would disclose encrypting the web page and coding the web page using a browser supported encryption algorithm. It would be obvious to one skilled in the art to add the art to add the use of the El-Gamal algorithm to Banga to ensure documents (web page) are secure (col 1 lines 14-62). Claims 4 and 14 are rejected.

As per claims 10 and 20 Banga teaches the use of a remotely located cache storage site 151. A session is initiated and the user 11 requests a page. The web site is received by user 11 and then cached by the remote proxy 151 (col 3 lines 29-65). The data is check to make sure it is the same as the requested data (col 3 36- 65). Banga does not teach the use of encrypting/decrypting the web page.

Cuccia teaches the use of a browser supported encryption algorithm. Cuccia teaches that the El-Gamal is an encryption algorithm, which is supported by a browser (col 6 lines 13-29). Cuccia teaches that the El-Gamal algorithm encrypts the data (web page) to ensure the integrity of the data (col 5 lines 4-61, col 8 lines 13-37). This technology, which uses pubic key encryption, is incorporated into the web browser. Also it discloses selecting the browser which is supported by El-Gamal (col 6 lines 13-29). It would be obvious to one skilled in the art to add the art to add the use of the El-Gamal algorithm to Banga to ensure documents (web page) are secure (col 1 lines 14-62). Therefore the Banga/Cuccia combination would disclose encrypting and decrypting data associated with the browser. Thus claims 10 and 20 are rejected.

10. Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Banga et al (5,931,904) 'Method for reducing the delay between the time a data page is requested and the time the data page is displayed' in view of Newton's telecom dictionary.

As per claims 3 and 13 Banga teaches the use of a remotely located cache storage site 151. A session is initiated and the user 11 requests a page. The web site is received by user 11 and then cached by the remote proxy 151 (col 3 lines 29-65). Banga also teaches that the cache data can be stored at a remote site (element 151 and col 3 lines 29-45). Banga does not teach the use of encryption algorithm that is not supported by a browser.

Newton's telecom dictionary also teaches the use of an encryption algorithm that is not supported by a browser. Kerberos is defined as a network authentication protocol, it is a UNIX-based distributed databases used for user authentication (page 423). Since authentication or preventing unauthorized users from accessing certain locations is form of encryption and a UNIX based database is not supported by a browser. The type of encryption application would change from the EL-GAMAL rejection in claim 1 to a Kerberos encryption algorithm which is not supported by a browser. Therefore the Banga/ Kerberos combination would disclose encrypting the web page and coding the web page using non-browser supported encryption algorithm. Claims 3 and 13 are rejected.

11. Claims 6 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Banga and Cuccia as applied to claim 1 above, and further in view of Sadovsky (5,689,638) 'Method for providing access to independent network resources by establishing connection using an application programming interface function call without prompting the user for authentication data'.

As per claims 6 and 16 Banga teaches the use of a remotely located cache storage site and Cuccia teaches the use of encrypting the web page (see claim 1 rejection). Cuccia and Banga do not teach the use of a password associate with the cache.

Sadovsky teaches the use of password used to gain access to secure network resources (col 4 lines 42 –54). It would be obvious to one skilled in the art to add the password to the teachings of Cuccia and Banga to ensure that only authorized personal are able to view the cached data. Cached data is very sensitive resource thus as Sadovsky teaches it is very important to have a password because ' this form of security is essential in computer networks to prevent unwanted access to a computer network' (col 1 line 58-62). Claims 6 and 16 are rejected.

12. Claims 7 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Banga and Cuccia as applied to claim 1 above, and further in view of Billington et al (5,963,884) 'Predictive Maintenance System'.

As per claims 7 and 17 Banga teaches the storing of cached data on a remote site. Cuccia teaches the use of encrypting data. Banga and Cuccia do not specify the path for the memory location that stores the cached data.

Billington teaches that a specific path is used to store data (col 15 lines 34-40). Billington stores this data in-site or off-site and insists that different paths should be used for each system. It would be obvious to one skilled in the art to add the specific path of Billington to Banga and Cuccia to ensure that the exact location is secure and known. Claims 7 and 17 are rejected

13. Claims 8 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cuccia and Banga as applied to claim 1 above, and further in view of Olson et al (4,847,758) 'Main memory access in a microprocessor system with a cache memory'

As per claims 8 and 18, Banga teaches the use of a remotely located cache storage site and Cuccia teaches the use of encrypting the web page (see claim 1 rejection). Cuccia and Banga do not teach the use of paged memory.

Olson teaches the use of storing the web page cache in a paged manner (col 4 lines 46-56). It would be obvious to add the paged memory to the teachings of Cuccia and Banga to improve the data processing system of the remote proxy 151 (col 4 lines 37-56). By using the page manner the remote proxy 151 can operate at a higher speed (col 4 line 48-56). Claims 8 and 18 are rejected.

14. Claims 9 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schrader et al (5,903,881) 'Personal online banking with integrated online statement and checkbook user interface' in view of Banga.

As per claims 9 and 19, Schrader teaches the use of opening and using an application with a browser (col 13 lines 45-60). A application specific function such as making a payment to a specific person is done by using the browser (Fig 9). The browser opens a application specific (payment method) function that the user selects (col 8 line 25-51). After the payment is selected specific information is produced based on the application chosen such as amount and pay to

information (figure 9, col 11 lines 40-67). The application specific information is encrypted (col 17 line 12-30). Schrader does not teach the use of caching the application specific information.

Banga teaches the use of a remotely located cache storage site 151. The web site is received by user 11 and then cached by the remote proxy 151 (col 3 lines 29-65). Banga also teaches that the cache data can be stored at a specific location (element 151 and col 3 lines 29-45). The specific web browser's creates the cached data. It would be obvious to one skilled in the art to add the teachings of Banga to Schrader to ensure that the application information is cached. By using caching application specific information the amount of time needed to load a page will be reduced (col 1 lines 7-49).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nilesh R Shah whose telephone number is 703-305-8105. The examiner can normally be reached on Monday-Friday 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gail Hayes can be reached on 703-305-9711. The fax phone numbers for the organization where this application or proceeding is assigned are (703)305-0040 for regular communication.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

NS
March 3, 2003

GAIL HAYES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100